

# Washington State On-Site Wastewater Technical Review Committee

## Minutes for the June 24, 2004 Meeting

Approved on August 20, 2004 by Vote of the Committee



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## MEETING ATTENDEES

### Members Present

Kevin Barry, Klickitat Co. Health Dept  
John Stormon, WA Dept of Ecology  
Keith Grellner, Kitsap Co. Health Dept  
Scott Jones, Scott Jones & Assoc (arrived at approx.  
11:30 a.m.)  
Eric Knopf, Indigo Design, Inc.  
Bill Peacock, Spokane Sewer Utility District

### Members Absent

Pam Denton, Mason Co. Health Dept

*Note: Pam Denton has notified the DOH that she has left  
her position at Mason County and will be resigning from  
her position on the TRC.*

### Guests Who Signed In

David Allan  
Jim Wiley, Hancor  
Blake Johnston, Infiltrator  
Alex Mauck, Ring Industrial-EZ Flow  
Scott Davis, EZ Flow. Davis Sales Norwesco  
Peter Lombardi, Orenco Systems  
Tom Rogers, NW Cascade  
David Lowe  
Ken Moody, Bio-Microbics  
Rick Dawson, Benton-Franklin Health District

### DOH Staff

Mark Soltman, Wastewater Program Supervisor  
John Eliasson, Wastewater Program Staff  
Selden Hall, Wastewater Program Staff  
Larry Kirchner, Acting TRC Coordinator

## **INTRODUCTION:**

Chairman Kevin Barry called the one-day meeting to order at 10:15 a.m. on April 22, 2004 in the Columbia Room of the Ellensburg Inn, Ellensburg, Washington. Kevin acknowledged that this will be his last meeting on the TRC since he has served for the last six years. Rick Dawson, Wastewater Program Manager for Benton-Franklin Health District will be replacing Kevin on the TRC.

## **PLANNING/ADMINISTRATIVE ISSUES:**

### **Approval of April 22, 2004 TRC Meeting Minutes:**

It was moved and seconded to approve the minutes of the April 22, 2004 meeting, as written and distributed. The motion passed without objections.

### **Recognitions:**

Mark Soltman presented a Certificate of Appreciation and gift certificate to Kevin Barry for his service to the TRC over the past six years, including the past year as Chairman.

Chairman Kevin Barry reciprocated by presenting Mark Soltman with a plaque acknowledging his service, in various capacities, to the TRC since 1988. Mark recently announced that he would be leaving his position as Manager of the Wastewater Program to take a new position at DOH as Manager of the Local Health Support Unit within the Environmental Health & Safety Division.

## **SUMMARY OF TECHNICAL DISCUSSIONS**

### **Glendon BioFilters Experimental System Testing Protocol:**

John Eliasson briefed the TRC on the process agreed upon to develop a supplemental testing protocol for the Glendon BioFilters M32 model. A copy of John's letter to Tom Teal of Glendon BioFilters, dated June 17, 2004 was provided to the members of the TRC and made available to meeting attendees.

Kevin Barry discussed a meeting that he had with Glenn Helm of Glendon about the product. Kevin expressed that he is comfortable with the agreement.

Eric Knopf wondered if the issue needed to come back to the TRC once Glendon has completed the supplementary testing. John Eliasson didn't anticipate a need to do that except if there are inconsistencies in the data that arise from the testing. John thought that the timeframe would be short to get the product listed once the testing was completed and accepted.

David Allan expressed concern with precedent of approving device that doesn't have a monitoring port. Eric explained that Glendon BioFilter did have a testing port in the earlier testing process. Further, moist sand sampling at sites can be accomplished for in-field monitoring. Eric felt that although it's a different

process it still accomplishes the same goal. John Eliasson made the analogy to mounds not having monitoring ports either.

Kevin asked David if his point was that ATUs need monitoring ports and Glendon BioFilters don't. David disagreed with Kevin's assertion. Eric and Kevin both wondered what the value was of a sampling port in the Glendon units.

A member of the audience (Tom Rogers) raised a question about the protocol for Glendon's process, wondering if the same process will be used in the future for other proprietary devices. John Eliasson explained the need for 30-day averages and pointed out that the application came in prior to the RS&G for Upflow Filters so requiring NSF Standard 40 testing is not appropriate. Future upflow filters would need to go to NSF for approval.

*(Note: For more background, see the minutes of the February 18, 2004 TRC meeting.)*

### **Gravelless Drainfields RS&G – Language Amendments:**

At the April 22<sup>nd</sup> TRC meeting, eight decision items were on the agenda. Due to time constraints, the committee dealt with only the first seven of the eight items. The members of the TRC were provided with a copy of a discussion agenda for Topic #8. Mark explained the intent of item #8 was to get TRC input into whether sufficient language existed in the RS&G regarding concerns about sizing reductions for gravelless systems. The TRC agreed to discuss topic #8 but needed to table the discussion until Scott Jones arrived so that the committee would have a quorum.

Mark moved on to review the DOH decisions regarding adoption of the TRC recommendations made at the last meeting. Those decisions are summarized in the June 23, 2004 memo to TRC Chairman Kevin Barry. Mark explained that changes #1-6 were accepted and incorporated into the RS&G for Gravelless Systems. However, the DOH didn't incorporate the TRC recommendation for items 7, dealing with establishment for a single criterion for all types of gravelless systems.

The concern that trying to establish a single criterion appeared simple but actually created the potential for making design practices more complex. An example would be a product with a full two-foot (24") or three-foot (36") width could, under the proposed wording, apply the 90% rule and want credit for a trench width wider than their product. Mark also had concerns about the rule being more beneficial to some products in the marketplace rather than providing public health protection.

Kevin Barry questioned the rationale since backhoe buckets are 36". Mark explained how the reverse process (digging wider trenches) could be applied.

Blake Johnstone of Infiltrator Systems expressed his concerns about the DOH not accepting the TRC recommendations. He proposed revised wording that would only apply to gravelless chambers. His proposed wording was:

"The effective area per lineal foot of gravelless chamber drainfield product is based on the bottom width of trench or bed. The actual exterior width of the drainfield product or products must measure at least 90% of the trench or bed width. For products that measure less than 90% of the trench or bed, the trench or bed width used for sizing purposes is that dimension for which the exterior width of the product represents 90%."

Alex Mauck of EZflow expressed that he was not concerned as long as his product is sized equal to his competitor, Infiltrator Systems.

Rick Dawson expressed his opinion that his agency sized on actual product width and would continue to do so even if the RS&G wording changed.

Eric Knopf shared Mark's concern about consistency and ease of application. He felt verbiage should be worked out and brought back to the TRC.

At this point, Chairman Kevin Barry called a break in the meeting to allow Scott Jones to arrive and participate in the meeting since his vote was needed to constitute a quorum.

*Administrative note: The Chair called a break at approximately 11:15. During the break, Blake Johnstone put his proposed language on the computer so it could be shown as a PowerPoint slide. Scott arrived at approximately 11:30 a.m. and the meeting resumed.*

Keith felt that the right path is to establish a standard and have industry comply, rather than have industry drive standard.

Scott wanted to consider the standard in terms of "nominal width" rather than try to split hairs. Mark thought that using outside width is closer to nominal width than using a width wider than the actual product width.

John Stormon stated that he had abstained from the earlier vote but was beginning to question why give more credit than the width of the product. It was pointed out that about 7% of the 34 inch wide Infiltrator chamber is the footprint and the percentage is higher for narrower products.

John Eliasson sees competitors making changes to increase their advantage is outside dimensions are used rather than the interior dimensions. He'd prefer to keep to the interior dimension.

Blake Johnstone reiterated that all he is looking for is a level playing field with his competitors. Kevin Barry closed the discussion.

The motion was made by Eric Knopf to accept the wording as shown on the PowerPoint slide (see above). Scott Jones seconded the motion. The motion passed by a vote of four in favor, one opposed and one abstention.

Mark thanked the TRC for their spirited discussion and stated that he would give serious thought to the committee's vote as he makes his decision on how to handle this issue in the RS&G.

### **ATU Positive Filtration:**

Larry Kirchner provided a PowerPoint presentation that summarized the information that had been collected from Local Health Jurisdictions and O&M providers. A copy of the PowerPoint presentation (seven slides) is was provided to the TRC and audience. A copy is included in the minutes.

The report summarized the information that was provided to the TRC in a memorandum entitled "Survey of Local Health Jurisdictions/O&M Specialist-Aerobic Treatment Unit Survey", dated June 18, 2004. Copies were made available to the audience.

After the presentation, David Allan was granted the opportunity to address the TRC. He provided a two page document-one page of photos, the second page a service policy for Delta Environmental Products. Copies are included with the minutes. He described the findings of a service call where scum produced when fixtures ran. David handed out copies of the May 1999 TRC minutes where the TRC removed the

requirement for positive filtration. He felt the change benefited one company (Whitewater) and that adequate representation of other ATU manufacturers was not provided. Kevin Barry reminded David that he was on the TRC at that time and he disagreed with David's assertion. It was pointed out to the committee by one of the other guests that the company in question employed David at that time and that David had supported the change. Kevin asked the committee if they wanted to take this issue up and none of the members expressed any interest to do so.

### **Update of Rule Development Process with the State Board of Health:**

Mark Soltman handed out a Rule Revision time adjusted timeline for both Chapter 246-272A (Onsite Sewage Systems) and Chapter 246-272B (Large Onsite Sewage Systems).

#### **Chapter 246-272A:**

A series of public workshops were held at eight locations around the State to solicit comments. DOH staff will be developing a 2<sup>nd</sup> draft based on comments and suggestions received. DOH will complete the Cost-Benefit Analysis and Small Business Economic Analysis as required in the Rule Development Process. Mark thinks the department is still on track for a November 2004 Board of Health Hearing. Once approved by the BOH, some aspects of the WAC would go into effect 31 days after filing, other aspects would take up to 180 days.

#### **Chapter 246-272B:**

The Large Onsite Sewage System Rule Development Committee (LOSS RDC) is currently working to identify policy and technical issues. Hopefully, the LOSS RDC will have its work done by September 2004. Once that work is done, a similar process as is occurring with 246-272A will follow. The timeline is to have the LOSS rules effective in the spring of 2005.

In addition, there will be a new Chapter 272C (Septic Tank Design Standards). The Septic Tank standards need to be in code rather than RS&G because the State regulates the septic tank manufacturers. The committee work is already done. Hopefully, the draft rule will be sent out to LHJs and industry for comment by early Fall and to the Board of Health early to late Spring 2005.

Kevin Barry asked about the O&M changes in Chapter 246-272A. Mark responded that there have been significant changes from the RDC Report Draft but they are still being reviewed. In July, a revised draft will be available and there will be a brief two-week window for comments.

## **LIST OF MEETING MATERIALS**

### **Glendon BioFilters Experimental System Testing Protocol:**

- Letter from John Eliasson to Tom Teal dated June 17, 2004.

### **Gravelless Drainfields RS&G – Language Amendments:**

- Gravelless Drainfield RS&G (Draft)
- Memorandum to Kevin Barry from Larry Kirchner dated June 23, 2004, entitled “Gravelless Drainfield RS&G”.
- Discussion Agenda for June 24, 2004

### **ATU Positive Filtration:**

- Letter from Allison Blodig, Bio-Microbics, dated June 14, 2004
- Memorandum to Technical Review Committee from Larry Kirchner dated June 18, 2004 entitled “Survey of Local Health Jurisdictions/O&M Specialists, Aerobic Treatment Unit Survey”.
- David Allan documents that were emailed to TRC members on/about June 10, 2004 at David Allan’s request:
  - “Definitions”, dated June 7, 2004.
  - E-mail dated June 4, 2004 listing States that require post-ATU filtration.
  - Iowa Department of Natural Resources Operation and Maintenance Plan, Effluent Sample Analysis Summary, undated, 3 pages.
  - Washington Technical Review Committee Positive Filtration Discussion, undated, 6 pages.
- David Allan document that was handed out at the June 24, 2004 TRC meeting:
  - Two page document-one page of photos, the second page a service policy for Delta Environmental Products.

### **Rule Revision Process Update:**

- Rule Revision Timeline for Chapter 246-272A and Chapter 246-272B